



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 1631
)
HOGAN *et al.*) Examiner: Marschel, A.
)
Serial No. 08/454,529) Atty. Docket No. GP004-16.DV4
)
Filed: May 30, 1995)
)
For: METHODS FOR DETERMINING)
THE PRESENCE OF NON-VIRAL)
ORGANISMS IN A SAMPLE)

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UNDER 37 C.F.R. § 1.97(c)**

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In accordance with MPEP § 2001.06(c), Applicants hereby bring to the Examiner's attention a publication being produced in Civil Action No. 99 CIV 4548, a patent infringement action discussed in Applicants' Supplemental Information Disclosure Statement dated May 5, 2003. A copy of this publication is listed on the attached form PTO/SB/08 (two copies) and is enclosed herewith for consideration in connection with the examination of the above-captioned application.

This Information Disclosure Statement is being submitted under the provisions set forth in 37 C.F.R. § 1.97(c) more than three months from the filing date of the subject application and after the mailing date of a first Office action on the merits but before the mailing date of final action, notice of allowance or action that otherwise closes prosecution in the application. Although *ex parte* prosecution in the instant application has been suspended, due to a potential interference, Applicants submit that a suspended prosecution does not close prosecution in an application.

Please charge the fee set forth in 37 C.F.R. § 1.17(p), and any other fee which may be due, to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.



Serial No. 08/454,529
Atty. Docket No. GP004-16.DV4

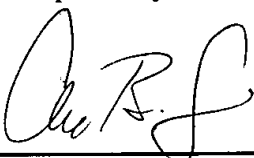
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Dated: October 29, 2003

Respectfully submitted,

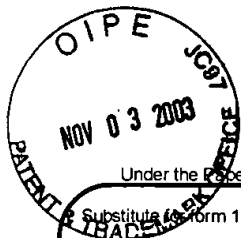
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Charles B. Cappellari
Registration No. 40,937
Attorney for Applicants

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GEN-PROBE INCORPORATED
Patent Department
10210 Genetic Center Drive
San Diego, California 92121
PH: (858) 410-8927
FAX: (858) 410-8928



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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	08/454,529
Filing Date	May 30, 1995
First Named Inventor	James J. Hogan
Art Unit	1631
Examiner Name	A. Marschel
Attorney Docket Number	GP004-16.DV4

Sheet 1 of 1

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Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Schoolnik et al., "The Pathogenic Neisseriae, Proceedings of the Fourth International Symposium, Asilomar, California, 21-25 October 1984", ASM, Wash., DC 123-198 (1985).	

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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